Copy to Mysore Govt

GOVERNMENT OF MADRAS.

Sectt. II-28—50,006—12-6-53

HOME (1953) Department.

Endorsement
D.O
Memorandum
Lodged

No. 129243 dt II/53-3

Dated 7—9—53. 1953

FURTHER PAPERS.

Department	Number	Series	Date
II			

FOR MYSORE STATE

2/E]

HOME DEPARTMENT

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Memorandum No.129248 Cts.II/53-3., dated 7th September 1953.

Sub: SUITS - Pauper - District Munsif's Court, Puttur - O.S.No. 2 of 5(Plaintiffs residing in Mysore State - Court fee due to Madras State - Recovery.

Ref: From the Board of Revenue, Madras, Ref.No.L.7744/53-3., dated 4th August 1953.

-oOo-

The Board of Revenue, Madras is informed that the amount due to the Madras Government towards court fees under the decree in the case under reference will have to be realised through court by taking out execution proceedings.

Under Order XXXIII, rule 14 of the CIVIL Procedure Code, the decree as to the payment of the sum payable to this Government towards court fee, has to be executed as a decree in favour the Collector. The Collector will have to make an application for the transfer of the decree under section 39 of the Civil Procedure Code to the competent court in the Mysore State for execution, and it will then be executed by that court in the Mysore State as if it had been passed by itself - (vide sections 40-42 of the Civil Procedure Code.)

J. SUBBUSWAMY,
Deputy Secretary to Government.

To the Board of Revenue, Madras.
Copy to the Andhra Government.(with enclosure).
Copy to Mysore Government.(with enclosure)

Forwarded / By Order

SUPERINTENDENT.

PKA 14/9

Extract of Notes from the file bearing C.No.129248 Cts.II/53. Home.

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The decree as to the payment of the sum payable to Government towards court fee has to be executed as a decree in favour of the Collector - please see order XXXIII, rule 14 of C.P.C. The Collector will have to make an application for the transfer of the decree under section 39 C.P.C. to the competent Court in the Mysore State for execution and it will then be executed by that Court in the Mysore State as if it had been passed by itself - please see sections 40 to 42 C.P.C. No purpose will be served by addressing the Government of Mysore in the matter as the amount due to this Government under the decree will have to be realised through Court by taking [redacted] proceedings. The Board may be informed accordingly.

XX XI

true extract

SUPERINTENDENT.

PKA 14/9